



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (MD) No.1882 of 2018

Pappathi

..Revision Petitioner/
Petitioner/Plaintiff

vs.

1.Periyaramasamy
Chinna Ramasamy (Died)
2.Bomma Naicker
3.Kandasamy
Kaladevi (Died)
4.Rengasamy
5.Muthulakshmi
6.Ponnusamy
7.Ramayee
8.Veeralakshmi
9.Sathya

..Respondents /
Respondents 1,3,4,6 to 11/
Defendants 1,3,4,6 to 11

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, against the fair and decreetal order, dated 24.07.2018 made in I.A.No.563 of 2017 in O.S.No.207 of 2008 on the file of the Principal District Munsif Court, Karur.

For Petitioner : Mr.V.Sitharanjandas
For Respondents: Mr.V.Balaji

ORDER

The plaintiff in O.S.No.207 of 2008 on the file of the learned Principal District Munsif, Karur is the revision petitioner herein. She filed I.A.No.563 of 2017 for reopening the case for the purpose of examining the Sub Registrar of West Karur Sub Registrar Office. The Court below dismissed the said IA by order dated 24.07.2018. Questioning the same, this civil revision petition has been filed.

2. Heard the learned counsel on either side.

<https://hcservices.ecourts.gov.in/hcservices/>

3. The learned counsel for the petitioner pointed out



that Ex.B.3 is a document executed by the third defendant in favour of the second defendant. But the same was marked through the sixth defendant.

4. I am of the view that the petitioner should have objected when Ex.B.3 was marked. But then merely because the said Ex.B.3 was marked without objection that cannot mean it has been proved in accordance with law. The petitioner can definitely canvass all these aspects now raised in the IA at the time of arguments. Since the said opportunity is available for the petitioner herein, the Court below rightly dismissed the IA filed by the revision petitioner herein.

5. With these observation, giving liberty to the petitioner to raise his points at the time of argument, this Civil Revision Petition is dismissed. No Costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar(CS-III)

To

The Principal District Munsif,
Karur.

+ 1 CC TO MR.V.SITHARANJANDAS, ADVOCATE IN SR NO.81189

+ 1 CC TO MR.V.BALAJI, ADVOCATE IN SR NO.81367

PJL

BU/SKN/SAR-II:12.10.2018 : 2P/4C

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